

Exhibit K

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February 24, 2004

By Hand

Judge Lewis A. Kaplan
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *New York City Employees' Retirement System, et. al. v. Bank One, N.A., et al.* 03 Civ. 9973 (LAK) (FM)

Dear Judge Kaplan:

This firm represents the Bank One Defendants in the above-referenced case.

We write to request that the Court approve the enclosed stipulation extending the time for Defendants Bank One N.A., Bank One National Association, J.P. Morgan Chase & Co., JPMorgan Chase Bank, JPMorgan Partners, LLC, The Beacon Group, LLC, The Beacon Group III - Focus Value Fund, L.P., Credit Suisse First Boston LLC, Deloitte & Touche L.L.P., Harold W. Pote, Thomas G. Mendell, and Eric R. Wilkinson (collectively, the "Stipulating Defendants") to answer or otherwise to respond to Plaintiffs' Complaint.

This stipulation is necessary to prevent duplicative litigation in this Court prior to the anticipated transfer of this case by the Judicial Panel on Multidistrict Litigation ("MDL Panel"). After filing their Complaint, Plaintiffs requested that the MDL Panel consolidate this case with numerous other factually-related matters that have been transferred to the Southern District of Ohio as part of a consolidated MDL proceeding entitled *In re National Century Financial Enterprises, Inc. Financial Investment Litigation*, Case No. 02:03-md-1575 ("MDL Proceeding"). We expect that the case will soon be transferred. In order to avoid unnecessary motion practice that would be rendered moot if this case is transferred as expected, we respectfully request that the Court approve the enclosed stipulation.

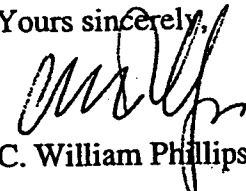
Three of the Stipulating Defendants previously have filed stipulations extending their time to respond to the Complaint in this action. In mid-February 2004, Plaintiffs and the two Bank One Defendants entered into an initial stipulation extending the latters' time to answer or otherwise to respond to the Complaint to March 1, 2004. Plaintiffs entered into a similar stipulation with Defendant The Beacon Group III - Value Focus Fund, L.P., extending the Fund's time to answer or otherwise to respond to April 1, 2004. Because the process of MDL consolidation has taken longer than expected, we request that the Court approve the enclosed

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stipulation, which would extend the time to answer or otherwise to respond to Plaintiffs' Complaint to April 15, 2004. We expect that the MDL Panel will have transferred this action before that date.

Yours sincerely,



C. William Phillips

cc: *Via First Class Mail*

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NEW YORK CITY EMPLOYEES'
RETIREMENT SYSTEM, TEACHERS'
RETIREMENT SYSTEM FOR THE CITY OF
NEW YORK, NEW YORK CITY POLICE
PENSION FUND, NEW YORK CITY FIRE
DEPARTMENT PENSION FUND,

Plaintiffs,

- against -

BANK ONE, N.A., BANK ONE NATIONAL
ASSOCIATION, J.P. MORGAN CHASE &
CO., J.P. MORGAN CHASE BANK, J.P.
MORGAN CHASE PARTNERS L.P., CREDIT
SUISSE FIRST BOSTON CORPORATION,
DELOITTE & TOUCHE L.L.P., FITCH, INC.,
BEACON GROUP, LLC, BEACON GROUP III
- FOCUS VALUE FUND, L.P., PURCELL &
SCOTT, CO., L.P.A., LANCE K. POULSEN
and BARBARA L. POULSEN, husband and
wife, DONALD AYERS, REBECCA
PARRETT, HAROLD W. POTE, THOMAS G.
MENDELL, and ERIC R. WILKINSON,

Defendants.

Case No. 03-CV-9973 (LAK) (FM)

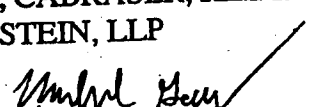
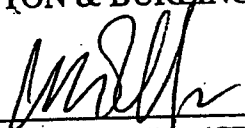
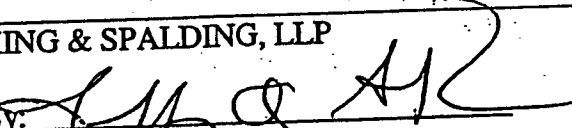
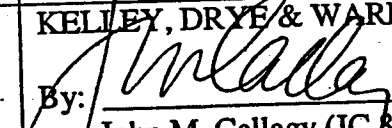
STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned

counsel for the parties that the time for Defendants Bank One N.A., Bank One National
Association, J.P. Morgan Chase & Co., JPMorgan Chase Bank, JPMorgan Partners, LLC, The
Beacon Group, LLC, The Beacon Group III - Focus Value Fund, L.P., Credit Suisse First Boston
LLC, Deloitte & Touche L.L.P., Harold W. Pote, Thomas G. Mendell, and Eric R. Wilkinson to
answer, move or otherwise respond to the complaint in the above-captioned action is hereby

extended to and including April 15, 2004. This stipulation shall not constitute a waiver of any of the parties' rights or defenses.

Dated: New York, New York
February __, 2004

<p>LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP</p> <p>By: <u></u></p> <p>Steven E. Fineman (SF 8481) Hector D. Geribon (HG 0311) Rachel Geman (RG 0998) Elizabeth A. Watson (EW 4192) 780 Third Avenue, 48th Floor New York, NY 10017-2024 (212) 355-9500 (212) 335-9292 (fax)</p> <p><i>Attorneys for Plaintiffs</i></p>	<p>COVINGTON & BURLING</p> <p>By: <u></u></p> <p>C. William Phillips (CP 3300) Joseph G. Sansone (JS 3470) 1330 Avenue of the Americas New York, New York 10019-5400 (212) 841-1000 (212) 841-1010 (fax)</p> <p><i>Attorneys for Defendants Bank One, N.A., and Bank One National Association</i></p>
<p>KING & SPALDING, LLP</p> <p>By: <u></u></p> <p>Jeffery Q. Smith (JS 7435) Steven G. Brody (SB 6859) 1185 Avenue of the Americas New York, NY 10036 (212) 556-2100 (212) 556-2222 (fax)</p> <p><i>Attorneys for Defendant Credit Suisse First Boston LLC</i></p>	<p>KELLEY, DRYE & WARREN, LLP</p> <p>By: <u></u></p> <p>John M. Callagy (JC 8166) William A. Escobar (WE 8146) 101 Park Avenue New York, NY 10178-0002 (212) 808-7800</p> <p><i>Attorneys for Defendants J.P. Morgan Chase & Co., JPMorgan Chase Bank, JPMorgan Partners, LLC and The Beacon Group, LLC</i></p>

<p>WIGGIN & DANA LLP</p> <p>By: <u>James R</u> James Bicks (JB 2930) Wiggin & Dana 450 Lexington Avenue, Suite 3800 New York, NY 10017 (212) 490-1700</p> <p><i>Attorneys for Defendant Deloitte & Touche L.L.P.</i></p>	<p>SIMPSON THACHER & BARTLETT LLP</p> <p>By: <u>Robert A. Bourque</u> Andrew Frankel (AF 5202) ROBERT A. BOURQUE 425 Lexington Avenue (RB-1808) New York, NY 10017-3954 (212) 455-2000 (212) 455 2502 (fax)</p> <p><i>Attorneys for Defendants Harold Pote, Thomas Mendell, and Eric Wilkinson</i></p>
<p>FRIED, FRANK, HARRIS, SHRIVER & JACOBSON LLP</p> <p>By: <u>Barry G. Sher</u> Barry G. Sher (BS 4252) Israel David (ID 1213) Thomas Ross Hopper (TH 4554) One New York Plaza New York, NY 10004-1980 (212) 859-8000 (212) 859-4000 (fax)</p> <p><i>Attorneys for The Beacon Group III - Focus Value Fund, L.P.</i></p>	

SO ORDERED:

U.S.D.J.